

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

PAUL HARVEY, MERYL
EICHENBAUM, and ROXEANNE
KUZOWSKY, as representatives of a
class of similarly situated persons, and
on behalf of the BED BATH &
BEYOND, INC. 401(K) SAVINGS
PLAN,

Plaintiffs,

v.

BED BATH & BEYOND, INC.
401(K) SAVINGS PLAN
COMMITTEE and LAURA
CROSSEN,

Defendants.

Case No. 2:23-cv-20376-CCC-SDA

**DECLARATION OF MERYL EICHENBAUM IN SUPPORT OF
PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

I, Meryl Eichenbaum, declare and state as follows:

1. I am one of the named-Plaintiffs in the above-captioned action. I submit this Declaration in support of approval of the settlement that we reached in this case and in support of my appointment as a class representative.

2. I worked for Bed Bath & Beyond, Inc. and participated in the Bed Bath & Beyond, Inc. 401(k) Savings Plan ("Plan"). I received a distribution of my

Plan account in after separating from the Company. A portion of my Plan account was invested in the GIA. In August 2023, my GIA balance lost approximately \$50,000. I am now suing to recover this lost value caused by Defendants' fiduciary mismanagement.

3. In bringing this case, I determined to represent the interests of other Plan participants and accepted the duties of a class representative. I was prepared to participate in discovery, appear for my deposition, and testify at trial, if necessary.

4. I have fulfilled my duties as a class representative throughout the case. Among other things, I provided information to my counsel to support the case; reviewed the pleadings and provided feedback and asked questions; and was available during the mediation with retired Federal Judge Mark Falk.

5. I reviewed the Settlement Agreement and am fully informed of the terms of the Settlement. I am satisfied with the terms that we reached.

6. I believe the \$1.95 million monetary recovery represents a fair recovery for myself and the other Settlement Class Members, and I am in agreement with the plan of allocation. I approve the Settlement in this case and encourage the Court to approve the Settlement as well.

7. In the event that I am appointed by the Court to represent the Settlement Class, I will continue to represent the interests of the other Class

Members as I have done to date. I am not aware of any conflicts of interest between myself and other Class Members.

8. I have been monitoring the work of my counsel and am satisfied with the work they have performed to date in this action. I am unaware of any conflict of interest with my counsel.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: 2/11/2025

Signed by:

Meryl Eichenbaum

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Meryl Eichenbaum